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SUMMARY RECORD OF THE 28th MEETING

Chairman: Mr. MAYCOCK (Barbados)

Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. MSELLE

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The meeting was called to order at 3.20 p.m.

AGENDA ITEM 126: PERSONNEL QUESTIONS (continued) (A/45/541 and A/45/548; A/C.5/45/3, A/C.5/45/10 and Corr.1, A/C.5/45/11, A/C.5.45/12, A/C.5/45/18 and A/C.5/45/19)

1. Mrs. de ALVAREZ (Dominican Republic) said that it was regrettable to note that the status of women in the organizations of the United Nations system, including the Secretariat, had not improved, despite the efforts made, or at least the intentions stated, in that regard. It emerged from the reports before the Committee that women's career prospects usually stopped at the P-4 level and that, in addition, the target set for the representation of women in posts subject to geographical distribution had not been attained.

2. Half-way through the United Nations Decade for Women, women still occupied mainly administrative and language posts and were conspicuously absent from substantive posts and posts relating to technical co-operation projects and programmes. Women's career prospects continued to be extremely limited in the organizations of the system. Her country, which was the headquarters of the United Nations International Research and Training Institute for the Advancement of Women (INSTRAW) would be steadfast in its efforts to remedy the situation.

3. It was important to set targets for the representation of women in Professional posts. In that connection, it should be pointed out that the 30 per cent target set for the current year in the Secretariat had yet to be attained, as a result of which the Economic and Social Council had recommended a new target of 35 per cent to be met in the next five years. Moreover, there were organizations which had still not even set any targets or deadlines for their attainment. In any event, in order to avoid recruiting women only in the lower categories, separate targets would have to be set for posts at the P-1 to P-4 and P-5 to Under-Secretary-General levels, as well as for project posts and for specific departments.

4. However, it was necessary not only to set targets but also to ensure that they were met. That task should not remain in the hands of the Office of Human Resources Management but should be entrusted to an official in the Executive Office of the Secretary-General or of the executive head of the organization concerned. The organizations must also take measures to promote the employment of women, such as authorizing the employment of spouses, setting up day-care centres and introducing flexible working hours. It was also essential to adopt specific measures for the recruitment of women, taking into account, in particular, the fact that the number of women from developing countries, especially Latin American countries, in posts subject to geographical distribution was extremely small. In that context, a welcome development was the establishment of a tripartite working group by the International Civil Service Commission to examine the status of women in both the General Service and Professional categories, which would make recommendations to the Commission in that regard.

5. Mr. FLEISCHHAUER (Under-Secretary-General for Legal Affairs, the Legal Counsel) said that he was grateful for the support expressed by delegations for the Secretary-General's efforts to ensure full respect for the privileges and immunities of officials of the United Nations, the specialized agencies and related organizations. That issue was more important than ever, considering the new and complex tasks which the organizations of the United Nations system were being called upon to undertake, making it essential for officials to be able to carry out their duties with the absolute assurance that their rights would be duly respected.

6. The Secretary-General and the executive heads of the organizations of the system would continue to monitor closely all cases of arrest and detention of officials in order to ensure that no staff member was arrested or detained for reasons related to his or her official duties. It was crucial for the Secretary-General and the executive heads of the organizations of the system to be promptly informed of the reasons for arrest or detention and for access to be given to the staff member concerned. A matter of particular concern, therefore, were cases of arrest for unspecified reasons and of unlimited duration because in such situations it was impossible to determine whether such arrests were related to official activities or not. In that context, he was pleased to inform the Committee that most of the staff members of the United Nations Children's Fund (UNICEF), the United Nations Development Programme (UNDP) and the International Labour Organisation (ILO) who had been detained in Rwanda during the previous month had been released and would soon be resuming their functions.

7. With regard to some of the statements made on the question of respect for the privileges and immunities of officials, he thanked the representative of Romania for informing the Committee of the willingness of his Government to accept fully the advisory opinion of the International Court of Justice concerning the applicability of article VI, section 22, of the Convention on the Privileges and Immunities of the United Nations. He was also grateful to him for concurring with the view that the interest and importance of that advisory opinion went far beyond the specific case considered by the Court.

8. He also thanked the representative of Zimbabwe for the information that his Government was taking the necessary administrative measures to discontinue the practice of levying taxes on salaries paid by the United Nations to locally recruited staff members. The Secretariat, for its part, was ready to co-operate with the competent authorities in Zimbabwe in working out a mutually acceptable solution to that problem.

9. It had been encouraging to hear from the representative of the United States that restrictions on private travel in the United States by Czechoslovak, Hungarian and Polish staff members and their families had been lifted, and hoped that the same would apply to restrictions that continued to be placed on staff members of other nationalities.

10. With regard to the statement by the representative of Afghanistan confirming that several locally recruited staff members of Afghan nationality had been conscripted into military service in accordance with the relevant legislation of

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(Mr. Fleischhauer)

the Republic of Afghanistan, he referred to the provisions of article V, section 18 (c), of the Convention on the Privileges and Immunities of the United Nations, to which Afghanistan was a party, which provided that officials of the United Nations were immune from national service obligations.

11. The Permanent Mission of Senegal to the United Nations had addressed a note to the Secretariat referring to paragraphs 22 and 23 of annex II of the Secretary-General's report on respect for the privileges and immunities of officials of the United Nations and the specialized agencies and related organizations (A/C.5/45/10) concerning three cases of arrest of locally recruited staff members of ILO and the World Food Programme (WFP) in Senegal. The contents of the note had been transmitted to ILO and WFP and, as far as the United Nations was concerned, he repeated that all staff members employed under the Staff Rules and Staff Regulations of the United Nations were "officials" within the meaning of the Convention on the Privileges and Immunities of the United Nations regardless of nationality, the place where they were recruited, their category or grade.

12. The additional information provided by the representative of Ethiopia with regard to the case of Ms. Guenet Mebrahtu had been transmitted to the World Health Organization (WHO), of which she was a staff member. It should be emphasized that Ms. Mebrahtu had been imprisoned for more than a year with only rather general allegations brought against her, and for that reason he repeated the appeal for her release that had been made on several occasions by WHO and the United Nations.

13. Mr. CISS (Assistant Secretary-General for Human Resources Management) said that the recruitment of civil servants on secondment, a matter which had been raised by numerous delegations, had undeniable advantages, but might, if used systematically and beyond a certain point, have negative effects on the cohesiveness and independence of the Secretariat. It was therefore necessary to establish clear, precise procedures consistent with the judgement of the Administrative Tribunal of the United Nations in that matter. What must be avoided was that secondment should become the rule rather than the exception.

14. In response to the concern expressed by one delegation about the fact that certain vacancies in the Secretariat had not been filled by staff members of the same nationality or from the same region, he said that the Secretary-General was not authorized to replace staff members leaving their posts by other staff members of the same nationality or from the same region. On the contrary, the General Assembly had repeatedly stated that no post should be regarded as the exclusive preserve of a Member State or group of Member States. That situation should not, therefore, be considered discriminatory. He, for his part, reaffirmed his concern that selection should be made objectively. It should also be pointed out that, on account of post reductions and the recruitment freeze, the number of Secretariat staff members from several Member States had unfortunately declined, especially in posts at the senior levels.

15. A number of delegations had mentioned the fact that five out of the approximately 200 staff members recruited to fill posts subject to geographical distribution in the past year had been nationals of overrepresented countries.

(Mr. Ciss)

That figure demonstrated that only a minimum number of nationals from overrepresented countries had been recruited. Moreover, three of the five had been recruited to regional economic commissions, which was in keeping with the request made by the General Assembly in paragraph 9 of its resolution 43/224 A that the Secretary-General should give special attention to the filling of posts in organizational units with high vacancy rates, particularly the regional commissions. In other cases, the aim of such recruitments was to maintain a regional balance in a specific department or to fill a highly specialized post. Likewise, the need for specialized technical knowledge had been the reason for the recruitment of six candidates to fill posts at the P-2 level other than by means of national competitive examinations. The other 19 recruits not from competitive examinations were women. Those exceptions were in keeping with the special emergency measures which had been adopted in order to improve the representation of women in the Secretariat. So far, efforts in that area had not been sufficient and additional steps should be taken to improve the representation of women in terms of both numbers and qualifications, for which he counted on the co-operation and assistance of Member States.

16. With respect to the information in table 7 of annex II of document A/45/541, he explained that the total of 74 cases corresponding to the column entitled "Other staff changes" did not reflect cases of recruitment or exceptions to the rule of competitive examinations, but movements of staff such as those indicated in footnote b/ of the table. There had not been any exceptions with regard to internal competitive examinations and, in the case of national competitive examinations, most of the exceptions had been in keeping with the special emergency measures adopted for women. Priority should be given to the recruitment of qualified women for higher-level posts, since there were already a sufficient number of women at the P-2 level, and the Office of Human Resources Management intended to reduce exceptions to a minimum, in accordance with the provisions of General Assembly resolution 35/210.

17. The introduction of national competitive examinations for P-3 posts and drafting tests for recruitment at the P-4 and P-5 levels had been delayed because of insufficient resources. Since the General Assembly had endorsed the recommendations of the Group of 18 on that matter, the necessary additional resources had not been approved. It was possible to begin the competitive examinations for the P-3 level with existing resources, but their systematization and the introduction of drafting tests for recruitment at the P-4 and P-5 levels would require additional resources.

18. With respect to the possibility of carrying out an analysis of the professional advancement of staff members recruited by competitive examination, a study of that matter had been made in 1985 and its results were contained in paragraph 11 of document A/C.5/40/39. According to that study, the rate of advancement of staff members recruited by competitive examination between 1974 and 1979 at the P-2 level had been twice as great as that of staff members recruited by other means. The Office of Human Resources Management was preparing a system for following up the careers of staff members recruited by competitive examination, which would make it possible to keep their progress under constant review.

(Mr. Ciss)

19. With respect to the possibility of granting personal promotions in certain circumstances, it should be pointed out that such promotions would be based on merit. The years of seniority required would not be greater than the maximum period during which a highly deserving staff member could remain immobilized at lower and intermediate levels. The basic criteria would be merit and recommendations from supervisors.

20. The idea of establishing career ladders was similar to the practice of linked grades followed by certain specialized agencies. If they facilitated movement from one grade to another, the problem of blockages between grades would be solved. Naturally, movement from one grade to another would be governed by strict criteria of merit and performance. In any case, a systematic approach to the problem seemed preferable, in the long run, to the current practice of frequently reclassifying posts.

21. He agreed with the suggestion that certain personnel questions should be considered on a biennial basis and, unless the General Assembly decided otherwise, that approach would be followed. Likewise, the Office of Human Resources Management would take the necessary steps to include in a single report all the information relating to the improvement of the status of women, in accordance with Assembly resolution 44/185 C.

22. According to available information, the vacancy rates in the regional commissions were the following: in the Economic Commission for Africa (ECA), the vacancy rate had been 22 per cent a year ago and was currently somewhat higher than 10 per cent; in the Economic Commission for Europe (ECE), the rate was around 1 per cent, while in July 1989 it had been 6 per cent; in the Economic Commission for Latin America and the Caribbean (ECLAC), the rate had been 4.5 per cent in 1989 and was currently 3.4 per cent; in the Economic and Social Commission for Asia and the Pacific (ESCAP), the rate had been 9.25 per cent in July 1989 and was currently a little higher than 6 per cent; and in the Economic and Social Commission for Western Asia (ESCWA), the rate had been 12 per cent in 1989 and was currently a little higher than 4 per cent.

23. Recruitment for General Service posts did not depend on the residential status of candidates in the host country but on their abilities and suitability, which should be in keeping with the needs of the organization concerned. Nevertheless, since a large majority of candidates were recruited locally, the type of visa which they possessed had a bearing on the ease and rapidity with which they could be recruited. Indeed, the restrictions on the conversion of certain visas to the type of visa required by internationally recruited staff could complicate and delay the recruitment process.

24. Vacancy announcements - which, it seemed, were received too late by some permanent missions - were distributed to all missions as soon as they were issued. In any case, the Office of Human Resources Management would endeavour to speed up their issue. The usual deadline in the case of external vacancies was eight weeks, while for internal vacancies it was only four weeks. It should be noted that internal vacancy announcements were addressed only to staff members.

25. The revision of the mandate and composition of the Committee on Applications for Review of Administrative Tribunal Judgements was part of the broader question of the review of the statute of the Administrative Tribunal. The Office of Human Resources Management had consulted the legal services in that regard and it appeared that in 1989, after 11 years of work, the General Assembly had decided to suspend work on the harmonization of the statutes of the administrative tribunals of the United Nations and of the International Labour Organisation (ILO), since difficulties of a political nature had prevented a comprehensive review of those statutes. In the current circumstances, it seemed very unlikely that a new review could be undertaken.

26. The Office of Human Resources Management expected that, in the discussions which preceded the adoption of the various draft resolutions relating to Secretariat staff, the Fifth Committee would bear in mind the need to provide staff members with the best possible conditions of service in order to increase their motivation and to offer conditions of employment which would attract the persons needed by the Organization.

27. Mrs. GOICOCHEA (Cuba) said that it seemed to her that, unless there was a General Assembly decision to the contrary, the Assistant Secretary-General intended to consider some items on a biennial basis. In the opinion of her delegation, the reverse procedure should be followed, namely, the Secretariat should act in accordance with a specific mandate from the General Assembly. It should be recalled that, during the forty-fourth session of the Assembly, there had been a number of discussions on that issue and no agreement had been reached. Therefore, the biennial consideration of items would be possible only if the Assembly took a decision to that effect.

28. Mr. GUPTA (India) reiterated that his delegation wished to know whether any document had been issued which indicated how staff was recruited for posts financed from extrabudgetary sources, what considerations and criteria were taken into account and what was the overall representation of Member States in posts financed from extrabudgetary sources.

29. Mr. NASSER (Egypt) stressed the importance of the question of respect for the privileges and immunities of officials of the United Nations and the specialized agencies and related organizations, and of the report of the Secretary-General on the subject (A/C.5/45/10). He recalled, in particular, General Assembly decision 44/440, and said that it was important that the report should be made available to Member States well in advance in order to enable delegations to become familiar with its contents.

30. With respect to another aspect of personnel questions, the so-called regional balance within the various units was highly important. For example, all legal systems should be duly represented in the Office of Legal Affairs; as far as he was aware, that had not yet been achieved.

(Mr. Nasser, Egypt)

31. He was pleased to note that, in replacing staff members, the Secretariat bore in mind the principle of preventing certain posts from becoming the exclusive preserve of certain nationalities or regions. The Secretariat should apply that principle on a universal basis and not selectively, with regard to certain posts, grades or units. It was obvious that there had been a natural reduction in the number of staff at the senior levels, but that reduction should take place in such a way as to maintain a balance among the various regions.

32. The improvement in the vacancy rate in ECA and ESCWA was also cause for satisfaction. However, the vacancy rate of 10 per cent in ECA continued to be very high, and the Secretary-General should take measures to continue to reduce it in accordance with General Assembly resolution 43/224 A.

33. Mr. HAMIDA (Libyan Arab Jamahiriya) said that according to the information contained in the report of the Secretary-General on the composition of the Secretariat (A/45/541), nationals of the same grouping of countries were still being recruited at the senior level. contrary to the recommendation of the Group of 18 and the provisions of General Assembly resolutions which request that certain posts should be rotated and that certain countries should be prevented from monopolizing them. The Secretariat must respect and implement those resolutions in order to provide an opportunity to countries which had not yet held those posts. Nor was there any justification for recruiting staff members from overrepresented countries.

34. Mr. ABOU-HADID (Syrian Arab Republic) reiterated that there was a need to strengthen the work of the Panel on Discrimination and Other Grievances. In that connection, paragraph 59 of document A/C.5/45/19 was clearly contradictory. The Panel was described as a body composed of staff volunteers which had neither cohesiveness nor continuity. It was his delegation's view that, on the contrary, the cohesiveness of the Panel resided in the fact that the General Assembly had established it to investigate allegations of discrimination i.e., that it had a basic function to fulfil. Apparently, the voluntary nature of service on the Panel prevented members from devoting themselves to their duties full-time, since they were still responsible for their normal work. He wondered why the Secretary-General did not allow the staff members in question, who dealt with issues of such importance to the entire staff, to devote themselves exclusively to the work of the Panel. The Panel could serve as a judicial mechanism of first instance and attempt to resolve questions before they were brought before the Administrative Tribunal. The Panel must be strengthened and it must be independent, have a clear mandate and be free from pressures so that it could decide on solutions that were fair and acceptable to both parties.

35. On the subject of the Committee on Applications for Review of Administrative Tribunal Judgements, his delegation did not find the reply of the Assistant Secretary-General for Human Resources Management absolutely clear and convincing. The issues before that Committee basically involved verifying whether the Administrative Tribunal had fulfilled its mandate or if an opinion by the International Court of Justice was required. A proposal had been made to empower

(Mr. Abou-Hadid, Syrian Arab Republic)

the Committee, when it found a judgement to be improper, to refer the case back to the Administrative Tribunal so that it could review the judgement, functioning as an appellate mechanism. Perhaps it was necessary to establish a legal system which gave greater prominence to the work of the only Administrative Tribunal the United Nations had.

36. Mr. OGURA (Japan) requested clarification as to how vacancy announcements were issued in cases where those vacancies were subsequently filled by nationals of overrepresented countries; how many candidates applied and the extent to which the other candidates did not meet the requirements. Moreover, table 7, contained in annex II to document A/45/541, showed 74 staff changes in posts subject to geographical distribution. It would be important to receive an explanation in that regard. He also wished to know whether it was true that some persons had moved from the General Service to the Professional category without taking an examination and if so, how many.

37. Mr. MAHMOUD (Lebanon) agreed fully with the statement by the representative of Syria concerning the Panel on Discrimination and other Grievances. Despite the difficulties which prevented the Panel from fully carrying out its tasks, there were no grounds for suspending its activities, since paragraph 61 of document A/C.5/45/19 stressed the need to strengthen the mechanisms for informal resolution of disputes.

38. Mr. CISS (Assistant Secretary-General for Human Resources Management) assured the representative of Cuba that what he had said on the periodicity of reports was contingent on what the General Assembly decided in that regard. As to the Indian representative's comments on extrabudgetary posts, there was no distinction between posts funded from the regular budget and those funded with extrabudgetary resources. The same recruitment procedures were followed, the only exception being that career appointments were generally not made to extrabudgetary posts.

39. Referring to the statement by the Egyptian delegation, he pointed out that the General Assembly at times adopted resolutions which were seemingly contradictory or, in any case, complementary. On the one hand, it was true that no post must be the exclusive preserve of any one country. However, on the other hand, there were countries which might still be underrepresented or not represented at all if some of their nationals were not replaced by others. In those cases, the General Assembly itself authorized the Secretary-General to take such action. Perhaps the question of posts should be considered in general before conclusions were drawn on how a particular region or grouping of countries had been treated.

40. The Secretariat took note of the remarks by the delegation of the Libyan Arab Jamahiriya and gave its assurance that it was fully aware of its obligations and would make every effort to avoid recruiting nationals of overrepresented countries. However, at times, the exigencies of the service made it necessary simply to recruit the best candidate from among those who had applied.

41. The Secretariat would have more to say about the administration of justice at a later stage, but what had been stated about the Administrative Tribunal was the

(Mr. Ciss)

result of consultations with the Legal Counsel, who could doubtless provide additional information. The Panel on Discrimination and Other Grievances was composed of nine members and, judging from the budgetary policy in recent years, it did not seem very likely that Member States were prepared to allocate new posts for the performance of those tasks. It was, moreover, an internal body, appointed by and dependent on the Secretary-General, who, in turn, reported to the General Assembly on the Panel's work.

42. The representative of Japan had inquired about vacancies filled without a competitive examination. If such action had been taken, it was because there had been no candidates or because competitive examinations were not administered for the particular job categories in question. There had been no exception to the system governing movement of staff from the General Service to the Professional category, although there had been two cases where staff members had filed appeals which had been decided in their favour. In conclusion, in the informal consultations, the representative of Lebanon would be given all the information he deemed useful for the consideration of the question of the Panel on Discrimination and Other Grievances.

AGENDA ITEM 123: JOINT INSPECTION UNIT (continued) (A/C.5/45/L.4)

43. The CHAIRMAN said that despite the subtitle of draft resolution A/C.5/45/L.4 on the Joint Inspection Unit, he had not been involved in its preparation. He requested the Vice-Chairman, who had led the consultations, to introduce it.

44. Mr. KOULYK (Ukrainian Soviet Socialist Republic) said that the main idea of the draft resolution was to attain the ultimate objective of enhancing the Unit's effectiveness and obtaining increased support from bodies which received the inspectors' reports. In paragraph 3 (e) of the English version, the words, "to make a more selective approach" should be replaced by "to take a more selective approach".

45. Mr. QUIJANO (Vice-Chairman of the Joint Inspection Unit) said that the text of the draft resolution before the Committee contained very positive views on the work of JIU and clear guidelines on the methodology and procedures deemed most appropriate for ensuring that its report and studies would represent a vital and effective contribution. At the same time, he was concerned over the wording of paragraph 4 of the draft resolution. The Unit had not been consulted on its contents, despite the fact that the Chairman of the Unit had made a statement in the general discussion on the item, in the course of which there had been no mention of the study requested in the paragraph.

46. At the request of the Chairman of the Unit, he was duty-bound to inform the Fifth Committee that, in the view of the Unit, any study along the lines of that called for in paragraph 4 must be the result of consultations and serve to strengthen, rather than weaken, the capacity of the JIU secretariat. The study must not be conducted by the Secretary-General, for that would undermine the independence required in the Unit's research and analytical functions. It would,

(Mr. Quijano)

moreover, be contrary to the guidelines contained in paragraph 3 of the draft resolution, which advocated strengthening the work being carried out by the Unit. If necessary, other organs of the General Assembly, such as the Advisory Committee on Administrative and Budgetary Questions or the Committee for Programme and Co-ordination, could make a contribution, but the Secretariat must confine itself to the preparation of the programme budget proposals for the next biennium on the basis of the requirements which the Unit itself had determined. Furthermore, making recommendation 15 of the Group of 18 the framework for the study was a negative approach which would doubtless prejudge the conclusions, for, as it was well known, that recommendation was aimed at substantially reducing the staff of the United Nations.

47. In order to dispel the Unit's serious reservations concerning the wording of the paragraph, it would be simplest to delete it. However, if that were not feasible, consideration could be given to amending it. The key changes required were to eliminate the Secretary-General's responsibility for the study and to omit the reference to recommendation 15 of the Group of 18.

48. Mr. FOX (United States of America), said that although he supported the draft resolution, the implementation of paragraph 4 should in no way jeopardize the Unit's autonomy, which was the foundation of its effectiveness. The review of the research and analytical capacity referred to in the paragraph should be conducted in consultation with the Unit and its objective should be to increase that capacity of its secretariat.

49. Mr. ABRASZEWSKI (Poland), referring to the review of the research and analytical capacity of the Unit called for in paragraph 4 of the draft resolution, said that chapter V of the report of the Group of 18 was devoted in its entirety to monitoring, evaluation and inspection activities and contained various recommendations which, inter alia, called upon the Unit to put more emphasis on the evaluation aspect of its work (recommendation 63). The recommendations also addressed the expansion of the mandate of the Unit. Accordingly, all the relevant recommendations of the Group of 18, and not just recommendation 15, should be taken into account in the requested review. The members of the Unit were elected by the General Assembly and reported to the Assembly and the governing bodies of participating organs. It was to be hoped that the autonomy of the Unit would be respected in the course of the review and that it would be duly consulted.

50. Mr. KARKUTLY (Saudi Arabia) and Mr. Al-KHALIDI (Jordan) said that they believed that further consultations were needed on the draft resolution in the light of the recommendations of the Group of 18.

51. Mr. ABOU-HADID (Syrian Arab Republic) endorsed that view and said that the views of the Unit on the matter should be sought. The draft resolution was not sufficiently clear and at times was contradictory.

52. Mr. NASSER (Egypt) proposed that the adoption of a decision on the draft resolution should be deferred so that consultations could be held with the participation of all interested parties, including the Unit.

53. Mrs. GOICOCHEA (Cuba) supported the proposal by the representative of Egypt. It was necessary to clarify the scope and meaning of the first part of paragraph 4 of the draft resolution. In the second part of that paragraph, reference was made to the implementation of recommendation 15 of the Group of 18, namely, that an effort should be made to continue implementing the recommendations. During the debate on agenda item 117, on the review of the efficiency of the administrative and financial functioning of the United Nations, various opinions on the scope and fate of the recommendations had been expressed in the light of recommendation 71 of the Group of 18. The part of the draft resolution under discussion contained discrepancies and it was important not to prejudge the fate of the recommendations, which related to agenda item 117.

54. Mr. KALBITZER (Germany) said that paragraph 4 was very ambiguous and endorsed the comments made about it by the preceding speakers.

55. Mr. ZAHID (Morocco) said that the word "quality" might be deleted from paragraph 2 of the draft resolution so as not to create the impression that the quality of the Unit's work left something to be desired. The review called for in paragraph 4 was necessary, but the fact that it was linked with recommendation 15 of the Group of 18, which dealt only with a reduction in the number of staff, created difficulties. The adoption of a decision on the draft resolution should be deferred.

56. The CHAIRMAN suggested that the words "even further" should be inserted in paragraph 2 after the words "to improve", and that the phrase "the relevant recommendations" should be substituted for the words "recommendation 15".

57. Mr. KOULYK (Ukrainian Soviet Socialist Republic), referring to operative paragraph 2, said that during the informal consultations it had been decided to follow the text adopted by the General Assembly at the forty-third and forty-fourth sessions, and that the Assembly had in fact welcomed the reform measures employed by the Unit to enhance the quality and effectiveness of its work in the third preambular paragraph of resolution 44/184.

58. Mr. DANKWA (Ghana) said that it was becoming obvious that paragraph 4 served no useful purpose, for while it reflected the desire to enhance the capacity of the Unit, it also compromised its independence. The Secretary-General could not be asked to review the Unit when it was the Unit that was called upon to evaluate the Secretariat. Moreover, it was contradictory to call for the review in the context of recommendation 15 of the Group of 18, which referred to a reduction in the number of posts. The problem, if it could be called a problem, was the method of work of the Unit, and he therefore suggested that paragraph 2 should be amended slightly to read as follows: "Expresses appreciation to the Joint Inspection Unit for the reform measures it has introduced to improve its working method in order to enhance its effectiveness", and that paragraph 4 should be deleted. If that suggestion was acceptable, it would not be necessary to defer the adoption of the resolution.

59. The CHAIRMAN said that the representative of Ghana appeared to have suggested that paragraph 4 of draft resolution A/C.5/45/L.4 questioned the capacity of the Unit. However, if the reference to recommendation 15 were deleted, whoever was responsible for the review might have the impression that if the Unit needed additional staff, it would be possible to hire that staff. In his opinion, the paragraph should not be of concern to the Unit.

60. Mr. DANKWA (Ghana) said that paragraph 4 posed two problems: one related to procedure and the other to the purpose of the text. The procedural issue concerned the party to whom the task of reviewing the capacity of the Unit was to be entrusted, if such a review was needed. In his view, the review should not be carried out by the Secretary-General, inasmuch as it was the Unit's responsibility to evaluate the work of the Secretariat. The review should therefore be entrusted to the Unit itself, as an exercise in self-examination, or to a third party. The question of the text's purpose was as follows: the Unit had been assigned certain tasks and had not indicated that it was overburdened with work. Accordingly, what was the purpose in asking it to review its capacity? In his opinion, nothing would be lost by deleting paragraph 4.

61. Mr. ETUKET (Uganda) recalled that in the report on the question of the efficiency of the administrative and financial functioning of the United Nations which the Fifth Committee had submitted to the General Assembly at its forty-first session (A/41/795), the Committee had made a number of observations which were to be taken into account in the implementation of the recommendations of the Group of 18, and that the Assembly had had those observations before it when it had adopted resolution 41/213. It was therefore inappropriate to refer to the original recommendations of the Group of 18 without taking into account the changes adopted by the General Assembly.

62. Mr. KINCHEN (United Kingdom of Great Britain and Northern Ireland) supported the amendment suggested by the Chairman of the Committee and said that to meet the point raised by the representative of Uganda the words "as approved by the General Assembly" could be added in paragraph 4 after the general reference to the recommendations of the Group of 18 suggested by the Chairman.

63. Mrs. GOICOCHEA (Cuba) endorsed the Egyptian representative's proposal to defer the adoption of a decision on the draft resolution. Neither the Chairman's suggestion to include a general reference to the recommendations of the Group of 18 nor the United Kingdom's suggestion were acceptable to her delegation. It could, however, support the suggestion by Ghana. She in turn suggested that the following text should be inserted in paragraph 4 after the words "programme budget of the United Nations for 1992-1993": "Taking into account the need to continue enhancing the efficiency of the administrative and budgetary functioning of the United Nations".

64. The CHAIRMAN said that further informal consultations would be useful.

65. Mr. CONMY (Ireland) said that he agreed with the Chairman but hoped that in the coming weeks the Committee would keep to its agenda.

66. Mr. INOMATA (Japan) said that he would appreciate some clarifications regarding subparagraphs 3 (c) and (d). Those subparagraphs underestimated somewhat the work of the Unit, whose members had been elected because they were considered experts, and it seemed unnecessary to provide them with guidance as to how to prepare their reports.

67. Mr. KOULYK (Ukrainian Soviet Socialist Republic) pointed out that those questions had been raised during the consultations and that some delegations had preferred to retain the language of subparagraph 3 (c), which had repeated resolutions adopted in previous years.

The meeting rose at 6.05 p.m.

UNITED NATIONS

General Assembly

FORTY-FIFTH SESSION

Official Records

FIFTH COMMITTEE
29th meeting
held on
Thursday, 15 November 1990
at 10 a.m.
New York

SUMMARY RECORD OF THE 29th MEETING

Chairman: Mr. KOULIK (Ukrainian Soviet Socialist Republic)
(Vice-Chairman)

Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. MSELLE

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Review of translation and interpretation services for all official languages in the Economic Commission for Africa

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A/C.5/45/SR.29
23 November 1990

ORIGINAL: ENGLISH

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In the absence of the Chairman, Mr. Koulik (Ukrainian Soviet Socialist Republic), Vice-Chairman, took the Chair.

The meeting was called to order at 10.35 a.m.

AGENDA ITEM 127: UNITED NATIONS COMMON SYSTEM (continued) (A/45/30; A/C.5/45/23, 24, 29 and 43)

AGENDA ITEM 128: UNITED NATIONS PENSION SYSTEM (continued) (A/45/9 and A/45/699; A/C.5/45/7, 22 and 43)

1. Mr. TRAXLER (Italy), speaking on item 127 on behalf of the 12 States members of the European Community, said that the Organization relied essentially on its staff, who must receive due encouragement and reward. Appreciating though they did the special concerns and specific mandates and circumstances of the various organizations in the United Nations system, the Twelve considered that the common system, applicable to all organizations and their staff, was a corner-stone of the United Nations system, whose quality and integrity it enhanced. Unity of conditions of employment was an essential feature. Diversification of personnel policy and special arrangements, led to unfairness and discrimination, which undermined the United Nations system.

2. The Twelve commended the International Civil Service Commission (ICSC) on its work, but considered that its report (A/45/30) should be further improved in terms of presentation and comprehensibility.

3. The objective of the system must be to recruit, retain and motivate staff in accordance with the Charter and to ensure that they received equitable treatment irrespective of the duty station at which they served. In view of the continuing concern in that regard, especially at some of the hard-currency, low-inflation duty stations, efforts to develop mechanisms to respond to the problem must continue, including work on a methodology for conducting checks at five-year intervals to determine which was the highest paid national civil service in accordance with the Noblemaire principle. For the time being the Twelve took note of the current net remuneration margin calculated in accordance with resclution 44/198. They noted the reported disparity in increases in remuneration between United Nations officials in New York and staff of the comparator civil service. They would consider carefully the question of margin management.

4. The Twelve took note of the possible establishment of tripartite working groups on major issues, and considered the attendance of staff representatives at the Commission's meetings to be useful and necessary.

5. Regarding pension arrangements, the Twelve were sympathetic to the views of the United Nations Joint Staff Pension Board and agreed that frequent changes should be avoided. The Commission's recommendation that income replacement in New York should continue to be used as the basis of the methodology for determining pensionable remuneration of staff in the Professional and higher categories was reasonable, but the Twelve had not expected that to imply retention of the existing

(Mr. Traxler, Italy)

methodology, including the previous year's adjustment, which had been presented as an interim measure. They would welcome confirmation that the Commission was now satisfied that the interim adjustment should become definitive, and clarification of the rationale behind that conclusion. Noting that possible future changes in the United Nations federal tax system were identified as a factor beyond the General Assembly's control which might in future influence the relationship between United Nations and United States pensionable remuneration amounts, and the related recommendation that a clearly defined and approved margin range should now be established, the Twelve assumed that the management of such a margin, if approved by the General Assembly, would be consistent with the management of the net remuneration margin. They continued to believe that appropriate account should be taken of conditions prevailing for the staff of the comparator civil service.

6. The Twelve stressed the interrelationship between pensionable remuneration and remuneration generally of all staff, including the executive heads of the agencies and Professional staff. Those issues came under the overview of the General Assembly, and their consideration by the Pension Board should be carried out in close co-operation with ICSC. They would comment on the question of pensionable remuneration of the executive heads when considering the report of the Pension Board.

7. With regard to the conditions of service of Professional and higher categories and specifically the question of housing and remuneration structure, the Twelve noted that the Commission now recommended no basic change in the existing structure, and shared the Commission's obvious disappointment with the rather meagre results obtained after so much effort, especially in the treatment of housing. They were not fully satisfied with the criteria for selecting the duty stations proposed for further experimentation on a different structure, nor with the proposed treatment of housing in them. They were prepared to examine further the case for implementation of each of the various arrangements proposed. Since those arrangements constituted part of the comprehensive review, however, any resulting costs must be subject to the provisions on absorption set out in paragraphs 1 and 2 of resolution 44/198. As a general principle, the Twelve continued to believe that maximum absorption of non-discretionary cost increases by all organizations of the common system was indispensable.

8. The Twelve noted that ICSC would study further the possible harmonization of practices regarding the granting of expatriate entitlements to staff members living in their home countries while stationed at a duty station located in another country. The suggestion that the acquired rights of serving staff members might be protected while discontinuing the entitlements in question for staff entering service after a specified date seemed reasonable, and the Twelve would appreciate information on the reasons why the Commission had not opted for such a course.

9. Regarding the conditions of service of officials at the Assistant Secretary-General, Under-Secretary-General and equivalent levels, the Twelve noted the Commission's conclusion that no action was required with respect to pay comparability, but, while acknowledging the need for some flexibility, believed

(Mr. Traxler, Italy)

that comparability within the system was also necessary at the senior levels. Post adjustment entitlements must be accurately determined in order to maintain confidence in the operation of the common system and avoid discrepancies in purchasing power between different duty stations. Where there were perceptions of unfairness, staff had a particular incentive to co-operate in place-to-place surveys, and it should be recalled that a new round of surveys using revised methodology had been mandated by the General Assembly in resolution 44/198. It would be helpful to have an indication of the number of cases where post adjustment indices were expected to be markedly lower than the existing pay index. The Twelve appreciated the Commission's consideration of a scheme of phased reductions, but were concerned that there were apparently duty stations where there was currently an excess of six or more classes of post adjustment. It was also a matter of concern that certain organizations maintained the practice of granting extra steps beyond the salary scale approved by the General Assembly. The Twelve concurred that the case for harmonization was reinforced by the approved changes in the structure of the salary scale. They remained attached to the principle that merit should be adequately rewarded, and believed that work should be continued on the development of objective and transparent performance evaluation systems.

10. Regarding the conditions of service of short-term staff, the Twelve considered that the first step to be taken by the proposed task force should be to define clearly what was meant by "short-term staff".

11. On the question of the annual net remuneration margin, the Twelve considered that it might be advisable for the interim report on the net remuneration margin, requested in resolution 44/198, to be submitted to the General Assembly at its forty-sixth, rather than forty-seventh, session. They sought further clarification about the request by ICSC that the General Assembly should reconsider its request to manage the margin over a five-year period so that the average margin would be around the mid-point of the range.

12. The Twelve had considered the ICSC decision to recommend an 8.5 per cent increase in the current base/floor salary scale. Unfortunately, however, paragraphs 195 to 208 of the report failed to provide the necessary basic factual information to explain how the 8.5 per cent figure had been arrived at, as a result of which the Twelve were unable to take a position on the important and expensive proposals contained in that section. They asked the Commission to provide those clarifications to the Fifth Committee and suggested that such basic information should be clearly presented in future reports. Furthermore, insufficient justification had been given for the increase in payments based on the base/floor salary scale and, above all, the mobility/hardship allowance and the separation payment.

13. The Twelve took note of the result of surveys on the best prevailing conditions of service in New York, London and Rome and of the financial implications, and further noted the concern expressed in paragraphs 290 and 293 about the results of the survey for New York. They supported the Committee's statements in paragraphs 304 to 306 and stressed the urgency of solving that

(Mr. Traxler, Italy)

problem. Regarding the education grant, it would seem that no immediate interim action was necessary since that entitlement would be reviewed in 1991.

14. On the subject of conditions of service in the field and in the context of the comprehensive review, the decisions and recommendations of the Commission concerning the Field Service category seemed reasonable and fair. With regard to the status of women, the Twelve concurred with ICSC's opinion that qualification should be the sole criterion for recruitment and promotion of women and men alike. They were sympathetic to the general thrust of ICSC's recommendations in paragraphs 279 and 288 of its report. In conclusion, the Twelve reiterated their faith in the common system, to which all organizations had voluntarily adhered, and in the need for a common approach which strengthened the cohesion of the system and consequently its effectiveness.

AGENDA ITEM 118: PROGRAMME BUDGET FOR THE BIENNIUM 1990-1991 (continued)

United Nations Institute for Disarmament Research: request for subvention to the Institute for 1991 (A/C.5/45/6 and A/45/7/Add.5)

15. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions), introducing the Advisory Committee's sixth report (A/45/7/Add.5) concerning the request from the United Nations Institute for Disarmament Research (UNIDIR) for a subvention for 1991 said that, although an appropriation of $440,000 had been approved by the General Assembly as a subvention to UNIDIR for 1990-1991, the Advisory Committee had expressed the view that a formal request for a subvention for 1991, amounting to $220,000 would have to be made to the General Assembly before the amounts could be authorized. The Advisory Committee had recommended that that request should be met (A/45/7/Add.5, para. 8).

16. In its report, the Advisory Committee had also made a number of observations concerning the future administration of the Institute. Drawing attention to paragraph 6, he said that the question at issue was that of continuing support of the Institute from the regular budget. The Advisory Committee believed that the matter should continue to be explored in order to meet the General Assembly's concern about securing additional resources from extrabudgetary sources, including voluntary contributions, to obviate the need for subventions from the regular budget. The Advisory Committee had therefore recommended that each time an earmarked contribution was received, a fair share of administrative costs should be charged by the Institute to the earmarked funds concerned.

17. The CHAIRMAN proposed that, on the basis of the note by the Secretary-General (A/C.5/45/6) and the recommendations of ACABQ (A/45/7/Add.5), the Committee should recommend to the General Assembly that should it approve the recommendation of the UNIDIR Board of Trustees for a subvention amounting to $220,000 in 1991, no additional appropriation would be required under section 2B of the programme budget for 1990-1991.

18. It was so decided.

19. Mr. KARBUCZKY (Hungary) said that his delegation welcomed the decision just taken by the Committee because it attached great importance to the work of UNIDIR and was aware of its financial problems. The willingness of Member States to finance the Institute's work from the regular budget was commendable. His delegation noted the Advisory Committee's comments on subventions from the regular budget and urged that the future arrangements should provide a firm basis for the functioning of the Institute.

20. Mr. HAMIDA (Libyan Arab Jamahiriya) said that his delegation hoped that UNIDIR and its Director would continue their efforts, in light of the recommendation in paragraph 6 of the ACABQ report, to ensure that in future the Institute would not have to request subventions from the regular budget.

International Computing Centre: 1991 budget estimates (A/C.5/45/9 and A/45/7/Add.3)

21. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that, in accordance with past practice, the 1991 budget estimates for the International Computing Centre (ICC) had to be approved by the General Assembly. The Advisory Committee's report (A/45/7/Add.3) discussed the estimates described in the report of the Secretary-General (A/C.5/45/9).

22. The 1991 estimates amounted to 16,930,000 Swiss francs. The United Nations share, computed at an exchange rate of SF 1.61 to the United States dollar, amounted to $4,952,700, in excess of the current appropriation of approximately $4.3 million in the 1990-1991 programme budget. On the basis of present projections that share might rise to $5.1 million. However, in the light of past experience, the Secretary-General was not requesting any additional appropriation. Any adjustments required at the end of the biennium would be reflected in the second performance report.

23. The Advisory Committee therefore recommended that the ICC budget estimates of SF 16,930,000 should be approved. No additional appropriation was required at the present stage in respect of the United Nations share.

24. The Advisory Committee had also drawn attention, in paragraphs 4 to 10 of its report, to a number of issues relating to the management of ICC. It trusted that the current management review would go a long way towards resolving some of those issues.

25. The CHAIRMAN proposed that, on the basis of the report of the Secretary-General (A/C.5/45/9) and the recommendations of ACABQ (A/45/7/Add.3), the Committee should recommend to the General Assembly that it should approve the 1991 budget estimates for the International Computing Centre in an amount of SF 16,930,000.

26. It was so decided.

Review of translation and interpretation services for all official languages in the Economic Commission for Africa (A/C.5/45/26)

27. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that the note by the Secretary-General (A/C.5/45/26) had been prepared in response to the request made by the General Assembly in resolution 44/201 B; the details of the request were given in the note. The Advisory Committee was completely dissatisfied with the note: it could not understand why it had taken so long to produce a three-page document which said nothing.

28. Some of the problems were identified in the Secretary-General's note, but the conclusion was that action should be postponed. Some of the reasons given for that conclusion were not convincing. Moreover, if the shortcomings referred to in paragraph 10 existed, then solutions should have been proposed. The Advisory Committee did not feel in a position to make any recommendation on the basis of the note. Subject to guidance from the Fifth Committee, it would take the issue up again in 1991 in the context of the proposed programme budget for the biennium 1992-1993.

29. Mr. ZAHID (Morocco) said that the Secretary-General's note indicated that the ECA Translation Services Unit had 16 Professional and 4 General Service posts but gave no specific information about the use of those posts, their distribution among the languages, or the vacancy rates per language. At the forty-fourth session of the General Assembly his delegation had pointed out that the Arabic language was the worst served and had called for special attention to be given to it. Yet the note said nothing about any individual language. His delegation would like to know what the current situation was, especially with regard to the distribution of occupied posts among languages. Paragraph 5 of the note stated that the major obstacles in delivering timely and quality translation services resulted from a high vacancy rate in the Unit. Despite a small decline in the rate, the situation remained very worrying.

30. Paragraphs 8 and 9 stated that ECA did not have a permanent staff for interpretation and that the establishment of a core interpretation unit was considered uneconomical. Once again, the note gave no specific information on needs or the pattern of meetings, for example, but merely offered a general statement.

31. The Chairman of the Advisory Committee had raised the question of the efficiency of ECA conference services. That was of course another problem requiring attention. His delegation would like to consult with other members of the African group before the Fifth Committee took any decision in the matter.

32. Mr. MONTHE (Cameroon) said that the report before the Committee was a bad one because it was superficial, artificial and inconsistent. It was superficial because, as the representative of Morocco had pointed out, it contained no specific information. As far as paragraph 5 was concerned, his delegation doubted whether the high vacancy rate was the real problem. The lengthy description of examinations given in paragraphs 6 and 7 really said nothing about the actual

(Mr. Monthe, Cameroon)

situation of the ECA language services; it was an artificial description. The report was inconsistent because, having identified the problems, it should have proposed solutions. Instead it recommended waiting for a further review.

33. In fact the problems were familiar and had been under discussion for many years. They were interrelated and should be tackled all at once instead of piecemeal. Postponement of action would solve nothing. The persons who had provided the material for the Secretary-General's note were the opposite of what was called for in Article 101 of the Charter. His delegation would, of course, take into account the views of other members of the Committee, but it thought that the note constituted no response at all to the General Assembly's request.

34. Mr. RAMADAN (Egypt) asked why the vacancy rate indicated in paragraph 5 of the Secretary-General's note was so much higher than that mentioned by the Assistant Secretary-General for Human Resources Management at an earlier meeting of the Committee. Noting that it was impossible to take a decision on the basis of the information provided in document A/C.5/45/26, he associated himself with the remarks made by the representatives of Morocco and Cameroon and suggested that informal consultations should be held on the subject.

35. Mr. YOHANNES (Ethiopia) said that the vagueness of the Secretary-General's note was most disappointing to his delegation. By failing to address the issues at stake, it tended to marginalize an important body of the United Nations system. Informal consultations were required to produce an appropriate recommendation.

36. Mr. DANKWA (Ghana) said that the Secretary-General's note was less a report than a skimpy statement of preferences. His delegation was extremely disappointed that the Secretariat should have taken over 12 months to produce such shoddy work. Those who drafted the note had chosen to ignore the clear terms of reference stated in General Assembly resolution 44/201 B: in what in the past would have been called a neo-colonialist attempt to perpetuate the "underdog" status of ECA, they were suggesting that the Commission should continue to depend on temporary assistance for its translation and interpretation services. Simply to invoke the pattern of distribution of meetings was unacceptable; the Committee required details of that pattern, which was surely not secret.

37. The document, indeed, reeked of bias and prejudice. Paragraph 6 indicated that translators who passed the competitive examinations could be assigned to vacant posts at all United Nations duty stations. Since that practice enhanced the international character of the Organization, there was all the more reason to re-establish the training programme. He could not understand why re-establishment of the programme should be made contingent on the results of examinations and felt that the Fifth Committee was better placed to pass judgement on that issue. The implication, in the last sentence of paragraph 7, that the authors of the note reserved the right to decide whether proposals would be submitted to the General Assembly was also unacceptable. His delegation moved that the note be rejected and that the Secretariat be instructed to re-establish the translator training programme at ECA.

38. Mrs. EMERSON (Portugal) asked which were the official and working languages of the Commission.

39. The CHAIRMAN said that the Commission's working languages were Arabic, English and French.

40. Ms. SHITAKHA (Kenya) joined the representatives of Cameroon, Egypt, Ethiopia, Ghana and Morocco in expressing her distaste at what she considered a disgraceful and illogical document. In view of the high vacancy rate indicated in paragraph 5, it was impossible to understand why immediate remedial action should be considered "premature". Noting the intention to assign revisers from Headquarters, Geneva or other duty stations to ECA to train successful candidates, she asked whether the Commission did not itself have sufficiently qualified staff to undertake that training and, if not, why the assignment of such personnel had not already been recommended. The implication was that ECA - which her delegation believed should be seen as equal to other major offices of the United Nations - was still to be accorded second-rate treatment. Like the representative of Ghana, she would appreciate further information on the pattern of distribution of meetings, particularly in relation to the corresponding patterns at other major offices.

41. Mr. GUPTA (India) associated himself with the remarks made by other delegations and said that the issues raised, including the problem of retention of staff, required detailed examination by the Secretary-General, who should submit specific proposals to Member States in the context of the proposed programme budget for the biennium 1992-1993.

42. Mr. BENNETT (United States of America), said that while his delgation shared many of the concerns expressed by other delegations, the course of action proposed in the Secretary-General's note represented a step in the right direction. It was indeed premature to re-establish a training programme which, when operational, had been very costly and yet produced only a few trained translators. He would appreciate receiving accurate information in that respect before a decision was taken.

43. His delegation strongly supported the intensification of efforts to recruit translators and hoped that the high vacancy rate would be reduced. It hoped, too, that qualified candidates would be accepted not only from the ECA region but also from other countries which were underrepresented at the Commission. Noting that only one post at ECA was held by a United States national, he asked whether current recruitment guidelines prevented the employment of nationals of the United States or, indeed, of any other country. Finally, his delegation supported the Secretary-General's proposal to maintain current arrangements for interpretation services and hoped that the shortcomings mentioned in paragraph 10 would be addressed, inter alia, by the use, if approved, of a new advanced computer system.

44. Mr. WU Gang (China) shared the views of many delegations, including, in particular, those expressed by the representatives of Egypt, Ghana and Kenya. He wondered whether the Secretariat had really given serious consideration to the possibility of re-establishing the translator training programme, instead of simply paying lip-service to the General Assembly's request. The Secretary-General should

(Mr. Wu Gang, China)

propose a practical solution to the urgent language service problems of the Commission.

45. Mr. BELHAJ (Tunisia) endorsed the concerns expressed by various delegations in connection with the note of the Secretary-General, which he considered incomplete and superficial. His delegation did not feel it deserved consideration, let alone a decision.

46. Mr. EKRA (Côte d'Ivoire) said that there was a glaring contradiction between the information provided in paragraph 5 and the last sentence of paragraph 6 and expressed the hope that ECA was not being treated simply as a point of transit for other duty stations. He endorsed the comments made by other delegations and said that the document was entirely unacceptable.

47. Mrs. EMERSON (Portugal) said she understood that vacancy rates at the regional commissions had improved somewhat. She therefore requested further explanation of why the problem had become more acute in the Translation Services Unit of ECA.

48. Mr. BAUDOT (Director, Programme Planning and Budget Division) said that he had been pained to hear the suggestion that the note of the Secretary-General flouted Article 101 of the Charter. While the note did show that the Secretariat was fallible, he hoped that there was no doubt as to its integrity.

49. In response to the question of the representative of Portugal concerning vacancy rates in all of the regional commissions, the Committee would be given an overview of that situation in the near future. He believed that the vacancy rate at ECA was now somewhat less than 10 per cent. The much higher rates in the note were for translation posts only. Moreover, those figures included posts that, while technically vacant, were actually filled by short-term free-lance translators.

50. Responding to the question put by the representative of Morocco concerning the distribution of vacant posts among the official languages, he said that most of the vacancies were for French translators. There was one English translator's post vacant and another Arabic.

51. As a matter of policy, Secretariat documents gave the view of the Secretariat as a whole. ECA did not disagree with the conclusions in the note concerning the establishment of a translator training programme and a core interpretation unit. The Secretariat fully recognized the problems of ECA, such as the high vacancy rate for translation posts and the shortcomings in Conference Services referred to in paragraph 10, and it was already attempting to respond to them. The full scope of those efforts was not reflected in the note because the mandate of the Secretariat had been limited to the review of ECA translation and interpretation services. As mentioned in paragraph 10, ECA had general problems other than those specifically relating to translator training and to interpretation services. For example, it currently had no editor, and various other editing-related posts were not filled by Professionals.

(Mr. Baudot)

52. In response to the call by the representative of Cameroon for a comprehensive solution, he said that the Secretariat had no intention of postponing development of such a solution indefinitely and was at that very moment grappling with the problem as it prepared the proposed programme budget for the biennium 1992-1993. The Committee's recommendations concerning ECA translation and interpretation services, as well as the broader issues discussed in paragraph 10, would be taken into account in those preparations. He therefore hoped that the Committee would give serious consideration to paragraph 10, in spite of its defects. Meanwhile, if the Committee wished to pursue the matter in informal discussions, the Secretariat would be willing to share what additional information it had.

53. Mrs. CESTAC (Director, Translation Division), responding to the request of the representative of the United States, said that she had information on the status of candidates accepted for training in 1988, 1989, 1990 and 1991, and on giving the duty stations to which they had been assigned and their progress since recruitment. If that information would be useful in informal consultations, she would be happy to provide it in writing. However, since translation posts were not subject to geographical distribution, it would be inappropriate to give a breakdown by nationality.

54. Mr. BAUDOT (Director, Programme Planning and Budget Division) said that, in response to the question of the representative of the United States, he could not give exact figures on the cost of the Training Centre when it had been in operation, but that he believed that it had been around $500,000 per biennium. If he remembered correctly, some 15 or 16 people had been trained per biennium.

55. Mr. DANKWA (Ghana) said that he was very gratified to learn that there was one United States national in ECA. He would appreciate details on the composition of all the regional commissions, as it would be interesting to learn if there were any Africans outside ECA.

56. He found it hard to believe that ECA shared the views contained in the note by the Secretary-General with respect to the establishment of a training programme and a core interpretation unit. Perhaps as a subordinate organ, it had not wished to disagree. The main consideration of the Committee should be to determine whether or not those measures would be useful. The original Training Centre had been closed because it had not lived up to expectations, when the more appropriate response would have been to review its operations and to propose remedial action. In the view of his delegation, the reinstatement of the Training Centre would at least make it possible to retain staff for more than the current two years, and the establishment of a core interpretation unit would be helpful in planning meetings and conferences. It was even possible that, given a good working atmosphere, the core unit might occasionally lend a hand in translation.

57. The original request for reinstatement of the Training Centre had been made in 1989, and action on it had already been postponed for one biennium. It should not be necessary to delay any longer. The overwhelming majority of the speakers had expressed the view that the Training Centre should be restored. What was

(Mr. Dankwa, Ghana)

needed now was information on the programme budget implications of that measure for inclusion in the revised estimates.

58. Mr. KINCHEN (United Kingdom) said that he had the impression that the vacancy rate and temporary staffing problem might affect bodies other than ECA. He had a vague recollection of reference during the forty-fourth session of the General Assembly to a similar problem at Vienna. If further review was in order, it would be useful to have more general information on vacancy rates and the utilization of temporary staff in the translation and interpretation services. The document in question had obviously not given rise to general and universal satisfaction. Although further discussion was needed, it was not clear, in any event, that an immediate decision could be taken on the matter.

59. The CHAIRMAN suggested that, in view of the discussion so far, action on the note should be deferred in order to allow for further consultation.

60. It was so decided.

The meeting rose at 12.45 p.m.

UNITED NATIONS

General Assembly

FORTY-FIFTH SESSION

Official Records

FIFTH COMMITTEE
30th meeting
held on
Friday, 16 November 1990
at 3 p.m.
New York

SUMMARY RECORD OF THE 30th MEETING

Chairman: Mr. MAYCOCK (Barbados)

Chairman of Advisory Committee on Administrative and Budgetary Questions: Mr. MSELLE

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4 December 1990
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The meeting was called to order at 3.20 p.m.

AGENDA ITEM 127: UNITED NATIONS COMMON SYSTEM (continued) (A/45/30; A/C.5/45/23, 24, 29 and 43)

AGENDA ITEM 128: UNITED NATIONS PENSION SYSTEM (continued) (A/45/9 and 699; A/C.5/45/7, 22 and 43)

1. Mr. AHTISAARI (Under-Secretary-General for Administration and Management) said that the statement by the Administrative Committee on Co-ordination (ACC) (A/C.5/45/43) reflected the concern of the Secretary-General and of all executive heads of the United Nations system over conditions of service of staff in the Professional and higher categories, which were still not competitive. It also brought out the need for stability and clarity, especially with regard to pensions. In recent years, the United States Federal Civil Service had ceased to be a satisfactory comparator, causing serious distortions in the remuneration system of the international civil service. As indicated in paragraph 9 of the ACC statement, under those circumstances it would be wholly inappropriate to declare a new salary freeze.

2. Field service personnel were the backbone of United Nations operations throughout the world. They often lived in conditions of instability and danger and always had to be ready to move to another location on 48 hours' notice. He was therefore pleased that the International Civil Service Commission (ICSC) had decided to monitor the development of field service remuneration after two years, particularly the application of the mobility and hardship matrix (A/45/30, para. 269).

3. Referring to the status of women in the organizations, he said that while statistics showed an improvement in the attitude towards women staff members, certain basic problems remained to be solved, in both the General Service and Professional categories. One of those problems was the recent decline in appointments and promotions of women at managerial levels, from P-5 and upward. An effort would be made to rectify the situation by implementing an action programme that was being prepared.

4. Concerning the General Service salary surveys, he was pleased to note that the problem in Geneva had been solved. It was difficult everywhere to find adequate comparators. Nor was it easy to ensure methodological acceptability and, therefore, the legitimacy of salary surveys. Each duty station had its own problems. For example, although the General Service category was, in principle, assumed to be made up of "local" staff, that was not the case in New York. Of the 2,365 staff members in that category, less than 28 per cent were nationals of the host country and the remaining 72 per cent were from 96 different countries. Of that 72 per cent, most were actually "international" civil servants, for they were at least bilingual, were highly educated in many cases and, in fact, lived on an expatriate basis, even though their status as international civil servants was not recognized for the purposes of remuneration. That was a serious anomaly at Headquarters, which remained to be solved.

(Mr. Ahtisaari)

5. With the morale of the New York staff in mind, the Secretary-General had decided to review the recommendations of the Commission based on the salary survey. While the results of the survey, which called for a reduction in General Service salaries while all other staff were receiving salary increases of more than 10 per cent, were prima facie surprising, the most immediate imperative was to move forward. Staff morale was not an empty concept, for it could determine the success of an undertaking, and the Secretary-General never tired of repeating that the Organization's most highly valued asset was its staff. In recent years, as a consequence of reorganization and post reduction, the situation of staff had become more difficult, stressful and demanding, and the proportion of those who worked excessively long hours had risen greatly. After many years of being essentially deliberative, the Organization had become operational, not only with regard to peace-keeping operations, but also in the areas of international economic development, the environment, drug abuse and human rights. The approach to personnel issues must change in the light of that new role for the United Nations. Mobility would acquire greater significance, with all that that implied. It had been suggested that the Organization should move towards forming a core staff which would be augmented for particular tasks. That was an idea worth considering, even though it was fraught with problems. Some staff members would not be able to adjust to the changes and, in that case, appropriate means would have to be found to enable them to continue exercising their vocations outside the Organization. In response to its new responsibilities, it might also be necessary to introduce further changes in the structure of the Secretariat. The United Nations, like any creature during a time of rapid evolution, would have to adapt.

6. In considering the report of ICSC, it was important to bear in mind at all times that at issue was the means whereby the Secretary-General and the other executive heads would be able to fulfil the responsibilities conferred on them by the world community, and those means were essentially "human means". An organization such as the United Nations depended on the morale, flexibility and calibre of its staff, on the efficiency of its structures and on Member States meeting their financial obligations in full. The Fifth Committee, ICSC and the management of the United Nations must be united in the common task of preparing the Organization for its current and future functions in the areas of peace, economic development, justice and human rights.

7. Mr. AKHTARUZZAMAN (Bangladesh) generally agreed with the recommendations of ICSC on the comprehensive review of the methodology for the determination of the scale of pensionable remuneration for the Professional and higher categories and, in particular, with the view expressed in paragraph 34 of its report (A/45/30). None the less, his delegation believed that ICSC must continue exploring ways and means of establishing a well-defined margin range of pensionable remuneration, consistent with net remuneration.

8. Regarding the complex question of the remuneration structure, his delegation generally agreed with the decisions of the Commission and agreed that housing should not be taken out of the post adjustment and that, at least for the time being, it should not be treated as a separate element of the remuneration package. It also agreed with the recommendation that at Headquarters, European duty stations

(Mr. Akhtaruzzaman, Bangladesh)

and other major duty stations, housing costs should continue to be compared with those in the base city, New York, using the post adjustment system. His delegation would also appreciate additional information on the practice of granting expatriate entitlements to staff members living in their home countries while rendering service in another country.

9. With respect to the question of conditions of service at the Assistant Secretary-General, Under-Secretary-General and equivalent levels, his delegation believed that despite the Commission's decisions in that regard, it would be best to revert to the issue in future. By contrast, his delegation agreed with the decisions of ICSC concerning the changes, implementation and future review of the base/floor salary scale and generally concurred with the conclusions on the use of the post adjustment to compensate for differences in purchasing power over time and across duty stations. The same applied to the Commission's review of the conditions of service of field personnel, although his delegation believed that the issue should be constantly reviewed in the light of changing circumstances.

10. The practice of supplementary payments and deductions affected the impartiality of the international civil service. The Secretariat should provide further information on that, and, in particular, on the steps taken to discourage that practice.

11. Concerning the report of the Secretary-General on investments of the United Nations Joint Staff Pension Fund (A/C.5/45/7), he was pleased to note that, despite unfavourable economic conditions, the return on investments by the Fund had been satisfactory compared to that of other pension funds. It was to be hoped that the Secretary-General would continue to follow the policy of diversification and selection of investment instruments outlined in paragraph 17 of the report.

12. Mr. OSELLA (Argentina) said that the principle of income substitution was fundamental when calculating pensionable remuneration and his delegation agreed that the methodology established in the 1987 scale, as amended at the forty-fourth session, should continue to be used. However, to stabilize pensionable remuneration, it should be calculated on the basis of a margin system similar to that used for the salary scale. That would avoid a gap, which existed for tax reasons, between the pensionable and non-pensionable remuneration of the Organization and that of the comparator service. Another matter for concern was the status of Fund participants whose pensions were paid in local currencies. Consideration should be given to the possibility of applying a minimum exchange rate until ICSC presented its final proposals in that regard. He therefore welcomed the establishment of a joint preparatory working group which would undertake a comprehensive review in 1991 of pensionable remuneration and consequent pensions for the General Service and related categories of staff (A/45/30, para. 55).

13. The recommendation to maintain housing within the post adjustment system was prudent; it was also necessary to keep the topic under review in order to decide once and for all whether housing should be excluded from base salary. The report appeared to suggest that there were two distinct systems for the treatment of

(Mr. Osella, Argentina)

housing: one, which would apply to most duty stations, under which housing would be included in the post adjustment, and the second, which was experimental, under which it would be excluded. It was important to know whether those duty stations had already been selected, and on the basis of what criteria apart from those mentioned in paragraph 95 of the report. Furthermore, the proposals submitted had financial implications which must be analysed.

14. The Noblemaire principle should continue to guide the policy for determining staff remuneration and to serve as the basis for establishing a comparison between United Nations salaries and those of the highest paid civil service. His delegation endorsed the periodic review of the comparator factor and welcomed the decision of ICSC to request its secretariat to provide it with a methodology to identify the highest paid civil service. In that regard, use of a margin was the practical way to implement the Noblemaire principle, since it made it possible to maintain an acceptable relationship between United Nations salaries and those of the comparator. The General Assembly's decision to maintain the margin at 115 for five years might result in a freeze of salaries in the future. The margin should be able to fluctuate between ceiling and floor values, as appropriate. Clarification was needed as to what measures would be taken if the margin rose above 120, a situation which current projections suggested was possible, and what the result of any freeze would be.

15. While ICSC had carried out a serious and careful review of the best conditions of service for General Service staff in New York, adjusted in accordance with prevailing methodology, his delegation supported the Secretary-General's decision to adopt a salary scale which departed from the Commission's recommendations but reflected the administrative needs of the Organization at the time when it was politically justified. His delegation also suggested that the Commission should complete the remaining Headquarters studies as soon as possible, that it revise the methodology for the study of the best conditions of service and that a new study be conducted in New York on the basis of the new methodology. Education grants should remain under review, and a periodic revision of such grants would seem to be the most desirable option. A selective increase in the subsidy based on actual needs was appropriate, reflecting conditions in the selected stations in which education costs had increased the most.

16. His delegation welcomed the fact that the information requested in section III C of General Assembly resolution 44/198, concerning the practice of making supplementary payments or deductions - which ran counter to the basic labour relations principle of equal pay for equal work - had been compiled. The question should be kept under review so that a definitive solution could be reached. It also noted with satisfaction that ICSC had improved its methods of work by imparting greater clarity and frankness to the decision-making process, thus enabling the staff unions to resume their participation in its deliberations. The establishment of tripartite groups was a suitable method for analysing situations which affected the working conditions of all staff. It was also important to learn the views of ACC in order to take into account the interests of all elements of the United Nations system.

17. Mr. MERIFIELD (Canada) shared the view that a pay system should be established which ensured that international civil servants received fair and competitive remuneration for their valuable work. In order to maintain motivation, morale, productivity and quality throughout the United Nations system, it was imperative that staff in all the agencies be treated identically. Any decision adopted by the General Assembly must maintain the integrity of the common system. For the common system to survive, the method used to establish the pay of employees in different duty stations must be perceived to be fair by those employees. Unfortunately, over the years a system had been pieced together which used post adjustments as a prime element for establishing salaries rather than for equalizing purchasing power between posts. The system was now so complex that it was not easy to determine whether recommendations were in line with established policies. Although there was little evidence, some employees suspected that they were less well off than their colleagues at other duty stations. While ICSC must overcome those suspicions within the system now in place, in the near future a system should be adopted which was transparent and understandable.

18. His delegation fully endorsed the recommendation in paragraph 162 of the ICSC report, as well as the recommendation on housing, expect for the proposal to change the rental subsidy scheme, which only made the system more cumbersome. The recommendation to increase the base scale by 8.5 per cent was to be welcomed because it helped make the remuneration scheme more transparent. In that connection, it was difficult to understand why the multipliers used to establish equality between duty stations bore no resemblance to differences in purchasing power.

19. While doubts arose from time to time about the adequacy of using the United States federal civil service as a comparator, the suggestion that it was not a suitable comparator was unproven. While it was true that the gap between public sector salaries and certain private sector salaries in the United States had widened, the United States certainly was not the only country where that had occurred. The questionnaire distributed by ICSC on the issue might shed some light on the question, although it should be noted that it would not be easy to interpret the data.

20. His delegation understood and in general supported the recommendations in subparagraph 124 (d) of the ICSC report, on housing for senior managers. For reference purposes, it might be useful to consider the relevant provisions in force in the Canadian Foreign Service. With regard to the table on the General Service, his delegation would welcome an explanation of the nature of the surveys carried out.

21. The Joint Staff Pension Board was still struggling with the problem of how to give right retirees a secure future within the resources available. While a viable long-term solution to the problem should be found, in the interim, his delegation recommended that the temporary solution proposed should be adopted.

AGENDA ITEM 116: FINANCIAL REPORTS AND AUDITED FINANCIAL STATEMENTS, AND REPORTS OF THE BOARD OF AUDITORS (continued) (A/C.5/45/L.5)

22. Mr. KOULYK (Ukrainian Soviet Socialist Republic), introducing draft resolution A/C.5/45/L.5, which had been prepared in informal consultations he had conducted in his capacity as Vice-Chairman, said that the text was the result of a consensus whose achievement had required the modification of approximately the final third of the original text and the deletion of some seven paragraphs. The draft resolution followed the tenor of earlier resolutions, took into account questions raised by the Board of Auditors, the Advisory Committee and Member States, and reflected progress in respect of General Assembly resolution 44/183.

23. The Chairman said that if there were no objections he would take it that the Committee wished to adopt draft resolution A/C.5/45/L.5 without a vote.

24. It was so decided.

25. The CHAIRMAN said that the Committee had concluded its consideration of agenda item 116.

The meeting rose at 4.40 p.m.

UNITED NATIONS

General Assembly

FORTY-FIFTH SESSION

Official Records

FIFTH COMMITTEE
31st meeting
held on
Monday, 19 November 1990
at 3 p.m.
New York

SUMMARY RECORD OF THE 31st MEETING

Chairman: Mr. MAYCOCK (Barbados)

Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. MSELLE

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Programme budget implications of draft resolutions A/45/L.16 and A/45/L.17 concerning agenda item 18

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27 November 1990

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AGENDA ITEM 127: UNITED NATIONS COMMON SYSTEM (continued) (A/45/30; A/C.5/45/23, A/C.5/45/24, A/C.5/45/29 and A/C.5/45/43)

AGENDA ITEM 128: UNITED NATIONS PENSION SYSTEM (continued) A/45/9 and A/45/699; A/C.5/45/7, A/C.5/45/22 and A/C.5/45/43)

1. Mr. HAXTHAUSEN (Denmark), speaking on behalf of the five Nordic countries, said that, while the glossary of technical terms contained in annex I to the report of the International Civil Service Commission (ICSC) (A/45/30) was very helpful, any further efforts to improve the comprehensibility of the report would also be welcome. The crucial importance of the common system for the retention of highly qualified and motivated personnel at all levels involved the establishment of a remuneration system based on the fairest possible methodology. In that connection, the Nordic countries welcomed the increased participation of the Administration and staff representatives in the Commission's deliberations, as well as the suggestions concerning the formation of a tripartite working group on major issues, but requested further details on how those issues would be defined.

2. Since the Commission's specific recommendations for the treatment of the housing component in both Group A and field duty stations, as well as for the revised rental subsidy scheme, did not seem to simplify the system as such, further efforts were obviously required. However, the recommendations contained in paragraph 162 of the report did represent steps in the right direction, since any effort to standardize practices in different United Nations bodies was welcome. Noting the serious consequences for the entire common system of a freeze on remuneration, the Nordic countries were inclined to agree with the recommendation contained in paragraph 188 (d), but felt that such a delicate issue needed further clarification and consideration. They also looked forward to the report of the Commission on the monitoring of the net remuneration margin.

3. While the recommendation to increase the base/floor salary scale through consolidation of post adjustment classes would not mean an across-the-board salary increase, it would increase the mobility and hardship allowance by approximately $5 million per annum. The Nordic countries were willing to endorse that increase but would appreciate further clarification as to the relationship between the increase in the base/floor salary scale and the mobility and hardship allowance. With respect to the survey of best prevailing conditions of service in New York for the General Service and related categories, they appreciated the Secretary-General's concern for staff-management relations but also understood the position of the Commission, as expressed in paragraph 306, and hoped that such a situation could be avoided in the future.

4. Having already expressed their interest in improving the status of women in the Secretariat, the Nordic countries would at the current stage simply note their satisfaction at the Commission's continuous efforts in that field.

5. Turning to the report of the United Nations Joint Staff Pension Board, the Nordic countries were pleased to observe that both ICSC and the Board had agreed on the methodology for determination of the scale of pensionable remuneration, on the

(Mr. Haxthausen, Denmark)

scale itself and on the procedure for adjusting the scale between comprehensive reviews. They looked forward to the results of the review of the pensionable remuneration and consequent pensions of staff in the General Service and other locally recruited categories to be carried out in 1991. As for the complicated issues involved in the pension adjustment system, they were prepared to accept the transitional measure recommended in paragraph 114 of the Board's report but joined the Advisory Committee on Administrative and Budgetary Questions (ACABQ), with respect to a possible longer-term modification, in cautioning against the introduction of more complexity to an already complex system.

6. Noting the view, expressed in document A/C.5/45/7, that the total investment return on the United Nations Joint Staff Pension Fund for the year ended 31 March 1990 compared favourably with other pension funds, the Nordic countries requested more concrete information on that comparison. They also wished to know how the figure for administrative costs quoted in paragraph 139 of the Board's report related to the costs of comparable private pension funds.

7. Mr. FERNANDEZ (Philippines) said that the harmonious co-operation between ICSC and the United Nations Joint Staff Pension Board, as well as the full participation in the work of the Commission by the Federation of International Civil Servants' Associations and the Co-ordinating Committee for Independent Staff Unions and Associations of the United Nations system, were very positive developments.

8. His delegation generally supported the recommendations contained in paragraph 38, subparagraphs (a) and (d), of the ICSC report (A/45/30). However, given the divergence of views concerning the establishment of a margin range for pensionable remuneration, that subject should perhaps be further reviewed. The ultimate aim of any pension structure should be to ensure that recipients were protected from exchange rate fluctuations and decreases in purchasing power either by periodic adjustments or through the development of a self-adjusting flexible mechanism which was responsive to changing economic conditions.

9. With regard to housing and remuneration structures, his delegation supported the recommendations to improve the post adjustment system and the rental subsidy scheme, which constituted a serious attempt to correct the inequities of the past. It also endorsed the revised housing arrangements for those at the Assistant Secretary-General, Under-Secretary-General and equivalent levels contained in paragraph 124 (b) of the Commission's report.

10. Noting the divergence of opinion regarding the margin between the net remuneration of the United States federal civil service and that of the United Nations system, his delegation felt that the virtual freeze on remuneration which would result from the General Assembly's request that the Commission manage the margin over a five-year period would further erode purchasing power of salaries both in New York and at other duty stations. It therefore urged that the matter be reviewed to determine whether greater flexibility was required. It might also be useful to determine whether it was necessary to identify a better comparator than the United States federal civil service, where salaries were on average some

(Mr. Fernandez, Philippines)

30 per cent lower than in the private sector. Comparisons should, however, cover fringe benefits as well as basic salaries. Although fully recognizing the need for adequate pay, his delegation believed that prudence must be exercised in adjusting salary scales, given the current limitations on resources.

11. While periodic review and adjustment of the base/floor salary scale was certainly necessary, a more detailed and clearer explanation of the calculations leading to the recommendation in paragraph 207 of the Commission's report was required in order to justify such a major increase in expenditure. It would also be useful to know to what extent the financial implications of that recommendation would be covered by the provisions on absorption contained in General Assembly resolution 44/198.

12. The practice of some Member States of making supplementary payments and deductions was unfair, inconsistent with the staff regulations and had the effect of lowering morale. He urged the States concerned to refrain from that practice and to work within the system for improved employee benefits. While generally supporting all other measures to improve the working conditions of the staff, his delegation emphasized that corrective measures should apply to all job categories and be implemented in an equitable manner.

13. Despite an apparently unanimous and sincere desire to improve the status of women at all levels of the Secretariat, the Organization was continuing to fall short of the very conservative goals it had established in that regard. A small increase in the proportion of women staff members at the lower levels had been largely overshadowed by a stagnant if not backward trend at the higher levels. The representation of women from developing countries in the upper echelons was even more disappointing. The failure to provide a viable system of training and preparation for women staff members in order to facilitate their promotion to decision-making positions served as a barrier to their career advancement.

14. The situation for male employees was also not entirely satisfactory. The developing countries continued to be significantly underrepresented in higher-level posts and that caused frustration and low morale among able and qualified candidates. While ability and merit should be the sole basis for recruitment and promotion, there was no need to sacrifice those principles in order to improve geographical representation in the upper echelons. What was needed was not so much the development of additional remedies as the prompt implementation of measures which had already been approved.

15. With respect to the salary scales recommended by ICSC for staff in the General Service and related categories, his delegation, while having full confidence in the ability of the Commission, was concerned that serious doubts had been cast on the manner in which the research had been conducted and therefore on the validity of its findings. It called for a further review of the issue at the earliest possible opportunity in order to erase all remaining doubts.

(Mr. Fernandez, Philippines)

16. In conclusion, his delegation wished to reiterate that all measures to improve the working conditions of the staff should be uniformly and universally applied. The decisions of certain United Nations agencies to make individual adjustments to their salary scales defeated the very idea of a common system. Measures must be instituted to minimize the need for similar decisions in the future.

AGENDA ITEM 118: PROGRAMME BUDGET FOR THE BIENNIUM 1990-1991 (continued)

United Nations Institute for Disarmament Research: request for subvention to the Institute for 1991 (continued) (A/45/7/Add.5 and A/C.5/45/6)

17. The CHAIRMAN said that the decision adopted by the Fifth Committee at its 29th meeting in connection with the Institute for Disarmament Research should have reflected the comments of the Advisory Committee in paragraphs 6 and 7 of document A/45/7/Add.5. If he heard no objection, he would take it that the Committee further recommended, in the context of that decision, that the General Assembly concur in the recommendations made by the Advisory Committee in paragraphs 6 and 7 of its report (A/45/7/Add.5).

18. It was so decided.

Programme budget implications of draft resolution A/C.6/45/L.3 concerning agenda item 144 (A/C.5/45/34)

19. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that document A/C.5/45/34 contained the Secretary-General's estimates of the financial implications of draft resolution A/C.6/45/L.3. Under the terms of that resolution, the General Assembly would authorize the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization to hold its next session from 4 to 22 February 1991, while requesting the Secretary-General to complete work on the preparation of the draft handbook on the peaceful settlement of disputes between States. The Secretary-General estimated that conference-servicing requirements would amount to $583,000 but would not require any additional appropriations. He therefore recommended that the Fifth Committee inform the General Assembly that, should it adopt draft resolution A/C.6/45/L.3, no additional appropriations would be required under section 26 or 29 of the programme budget for the biennium 1990-1991.

20. The recommendation of the Advisory Committee was adopted without objection.

21. Mr. HAMEDA (Libyan Arab Jamahiriya) said that his delegation's participation in the Committee's decision did not alter its position with regard to draft resolution A/C.6/45/L.3, as already expressed in the Sixth Committee. The draft resolution contained no new proposals to enhance the work of the Special Committee and thus failed to reflect important changes in international relations. If the Special Committee was to play its role successfully, it must promote such important principles of the Charter as the sovereign equality of States in fulfilling the Organization's responsibilities for the maintenance of international peace and security.

Programme budget implications of draft resolutions A/45/L.16 and A/45/L.17 concerning agenda item 18 (A/C.5/45/35)

22. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that the Secretary-General's estimate of the full cost of implementing the 1991 programme of work of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples would amount to $270,200. However, in the light of experience over the past three bienniums, it was estimated that no more than $189,000 would actually be required. Since the unspent balance of the 1990-1991 appropriation was $206,400, the 1991 programme of work could be accommodated within resources already appropriated. He therefore recommended that the Fifth Committee inform the General Assembly that, should it adopt draft resolutions A/45/L.16 and A/45/L.17, no additional appropriations would be required under the programme budget for the biennium 1990-1991.

23. The CHAIRMAN proposed that the Fifth Committee inform the General Assembly that, should it adopt draft resolutions A/45/L.16 and A/45/L.17, no modifications in the programme of work for 1990-1991 as contained in sections 3A, 3B and 27 of the programme budget would be required. Furthermore, on the basis of the information provided in paragraphs 4 to 13 and in annex II of document A/C.5/45/35, it was estimated that no additional appropriation would be required under sections 3 and 27 of the programme budget for the biennium 1990-1991.

24. It was so decided.

The meeting rose at 4.10 p.m.

UNITED NATIONS

General Assembly

FORTY-FIFTH SESSION

Official Records

FIFTH COMMITTEE
32nd meeting
held on
Wednesday, 21 November 1990
at 10 a.m.
New York

SUMMARY RECORD OF THE 32nd MEETING

Chairman: Mr. MAYCOCK (Barbados)

Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. MSELLE

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AGENDA ITEM 123: JOINT INSPECTION UNIT (continued)

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5 December 1990
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The meeting was called to order at 10.35 a.m.

AGENDA ITEM 119: PROGRAMME PLANNING (continued) (A/45/3, 6, 16 (Part I) and Add.1 and 16 (Part II), 204, 218 and Corr.1 and Add.1 and Add.1/Corr.1, 279 and 617; A/C.5/45/42 and CRP.1)

1. Mrs. SUVARNATEMEE (Thailand), referring to the major programme of the medium-term plan entitled "Regional co-operation for economic and social development", stressed the decisive role played by the Economic and Social Commission for Asia and the Pacific (ESCAP) in promoting an awareness of the realities of interdependence and the need for regional co-operation among nations of Asia and the Pacific. The Commission's new conference centre, which would be completed in 1991, should enable it to become an even more effective forum for regional co-operation.

2. At the forty-sixth session of ESCAP, the participants had unanimously agreed that, in the medium-term plan, priorities should be set by member States themselves. Of the 15 subprogrammes under programme 31 (Regional co-operation for development in Asia and the Pacific), the members of the Commission had agreed to give priority to the following subprogrammes: agricultural and rural development; environment; human resources development; industrial and technological development; international trade and development finance; population; social development; special programmes for the least developed and island developing countries; and transport and communications. While not exhaustive, that list included programmes which were of common concern to the entire region of Asia and the Pacific, where more than half of the world's population was concentrated and where the number of people living in conditions of absolute poverty was higher than anywhere else. However, the appropriation for ESCAP in the programme budget for the biennium 1990-1991 was only $39 million, which was small in the light of the region's wide-ranging needs and well below the appropriations for the Economic Commission for Latin America and the Caribbean (ECLAC), the Economic Commission for Africa (ECA) and even the Economic and Social Commission for Western Asia (ESCWA). Without questioning the allocation of resources, her delegation wished to discuss that matter further with other delegations in the near future in order to see whether more could be done for ESCAP.

3. Ms. GOICOCHEA (Cuba), referring to major programme I (Maintenance of peace and security, disarmament and decolonization) and, more specifically, to programme 1 (Good offices and peace-making, peace-keeping, research and the collection of information), said that, for the reasons set out in annex I of document A/C.5/45/42, her delegation could not accept the inclusion of the concept of "peace-making" in subprogramme 1.

4. With regard to subprogramme 3 (Research and the collection of information), it had been indicated that the legislative mandates for that subprogramme were Articles 98 and 99 of the Charter of the United Nations and General Assembly resolutions 41/70, 41/213 and 44/164. Her delegation requested the Secretariat to specify the connection between resolution 41/213 and subprogramme 3. Cuba could

(Ms. Goicochea, Cuba)

not see why resolutions 41/70 and 44/164, which dealt, respectively, with massive flows of refugees, and human rights and mass exoduses, were mentioned in relation to that subprogramme. In paragraph 7 of its resolution 44/164, the General Assembly referred specifically to means for "preventing new massive flows of refugees and displaced persons". The resolutions in question therefore belonged in programmes which dealt specifically with refugees, and not in programme 1. Her delegation wished to know how the inclusion of those mandates under subprogramme 3 was justified.

5. Mr. BAUDOT (Director, Programme Planning and Budget Division) said that the Office for Research and the Collection of Information had been established as part of the reforms undertaken in implementation of General Assembly resolution 41/213, which was why reference had been made to that resolution in connection with subprogramme 3.

6. With respect to the appropriateness of referring to the mandate relating to flows of refugees under subprogramme 3, he said that that point had been raised during discussions in the Committee for Programme and Co-ordination (CPC). If he was not mistaken, CPC had considered that that mandate should also be mentioned under programme 36, which dealt with refugees. He would provide details on that issue at a later time.

7. Ms. GOICOCHEA (Cuba), referring to programme 3 (Political and General Assembly Affairs and Secretariat Services), said that in document A/45/6 (Prog. 3) consultations with non-governmental organizations were mentioned several times. She requested confirmation that the organizations referred to were non-governmental organizations in consultative status with the Economic and Social Council.

8. With regard to programme 4 (Special political questions, trusteeship and decolonization), she believed that, in document A/45/6 (Prog. 4), in paragraph 4.2 (b), it would be better to retain the words "of all ... territories" in the first line, even though CPC had recommended the deletion of the word "all"; on the other hand, her delegation could accept the replacement of "dependent" by "non-self-governing". Paragraphs 4.8 and 4.11 made explicit reference to a specific number of Non-Self-Governing Territories. Her delegation believed that it would be preferable not to specify a number, and she wished to know what criteria the Special Committee on decolonization had used to define the programme.

9. Mr. BAUDOT (Director, Programme Planning and Budget Division) said that, with regard to programme 3, the organizations referred to were non-governmental organizations in consultative status with the Economic and Social Council; the observations of CPC on that subject were contained in paragraph 90 of its report (A/45/16 (Part I)). With respect to the remarks made by the representative of Cuba concerning programme 4, in paragraph 97 of its report CPC had recommended the deletion of the word "all". However, the final decision would be taken by the Fifth Committee.

(Mr. Baudot)

10. Finally, also with respect to programme 4, it was clear that, according to paragraph 97 of the CPC report, CPC had concluded that it was necessary to refer explicitly to the 18 Non-Self-Governing Territories. However, in that case, too, the Fifth Committee would take the final decision.

11. Mr. KINCHEN (United Kingdom) said that, as a member of CPC, his delegation felt bound by that Committee's recommendations and believed that the same should therefore hold true for other members of that body. As for the validity of legislative texts or mandates, rule 103.2 of the Regulations and Rules Governing Programme Planning stipulated that references to mandates adopted more than five years earlier must be justified; furthermore, in dealing with controversial issues, the translation of legislative mandates into specific programmes should naturally be acceptable to Member States as a whole.

12. Ms. BERENGUER (Brazil), referring to subprogramme 1 (Good offices and peace-making) of programme 1, recalled that the representative of Venezuela had proposed that references to peace-making should be omitted until the concept had been more clearly defined and further details were available regarding the texts on which the definition was based. As the medium-term plan was acknowledged to be the principle policy directive of the United Nations, it was extremely important that all concepts in it should be clarified before the plan was adopted. The representative of the United Kingdom had spoken of the need to abide by the recommendations of CPC, but it should be recalled that the Economic and Social Council had endorsed the medium-term plan on the understanding that it would be considered further during the forty-fifth session of the General Assembly. Accordingly, the Fifth Committee must carry out that task and take a final decision. With regard to programme 1, then, her delegation proposed that all references to peace-making should be deleted pending clarification of that concept. With regard to subprogramme 3, she wished to know the mandates for the activities called for in paragraphs 1.20 (a) to (e). Apart from General Assembly resolution 41/213, the only resolutions mentioned were General Assembly resolutions 41/70 and 44/164, which dealt specifically with refugees. References to those two texts should appear only in programmes 35 and 36, as the representative of Cuba had pointed out.

13. Ms. GOICOCHEA (Cuba) drew attention to the observations of CPC in paragraph 42 of its report and said that the late issuance of documentation pertaining to the programmes under review had prevented delegations from holding detailed consultations with their capitals. Furthermore, she recalled that the Economic and Social Council had decided, after difficult negotiations, to endorse the recommendations of CPC concerning the medium-term plan, on the understanding that the plan would be considered further by the General Assembly. As regulation 3.14 of the Regulations and Rules Governing Programme Planning also stipulated that the General Assembly was empowered to accept, curtail, reformulate or reject each of the subprogrammes proposed in the plan, it was clear to her delegation that the Fifth Committee must undertake a substantive review of programmes, taking into consideration the decisions of CPC.

14. Mr. OSELLA (Argentina), referring to programme 1, recalled that, in addition to the proposal by the representative of Venezuela, there had also been a proposal by the representative of Morocco to change the programme title so as to make it more consistent with the relevant provisions of the Charter.

15. Mr. CONMY (Ireland) said that the concept of peace-making was easy for his delegation to understand. It meant actions taken in accordance with the Charter of the United Nations by the Secretary-General or people working under his authority. A question of terminology should not obscure the significance of the issue. His delegation did not have a solution to propose, but it would not support a deletion of the disputed term from the title of programme 1.

16. Mrs. EMERSON (Portugal) agreed with the representative of Ireland that the substance of the issue was more important than the language involved, to which too much time was being devoted. The definition of peace-making and good offices contained in document A/C.5/45/CRP.1 - i.e. the Secretary-General's activities to promote dialogue and facilitate the achievement of agreements and the defusing of tensions between parties to a dispute - was consistent with the Charter, and her delegation did not see how there could be any objection to it.

17. Mr. BAUDOT (Director, Programme Planning and Budget Division) began by recalling, for purposes of information, the title which the representative of Morocco had suggested at an earlier meeting for programme 1: "Good offices, maintenance and restoration of international peace and security, and research and the collection of information", a title which clearly distinguished the three concepts. He also recalled that document A/C.5/45/CRP.1 contained the additional information requested of the Secretary-General by CPC regarding the concept of peace-making. Finally, he wished to inform the representative of Brazil that, in paragraph 312 of its report (A/45/16 (Part I)), CPC had indicated the resolutions that were to be included as mandates for programme 36.

18. Mr. ABRASZEWSKI (Chairman of the Committee for Programme and Co-ordination) pointed out that many of the issues raised by delegations had already been considered during both parts of the CPC session and that CPC had stated its position in its report. Replying to the representative of Brazil, he confirmed that the Economic and Social Council, in paragraph 4 of its resolution 1990/83, had endorsed the relevant conclusions and recommendations of CPC, on the understanding that further consideration of the proposed medium-term plan would be undertaken by the General Assembly at its forty-fifth session. At its resumed session, the Council had approved the recommendations and conclusions of CPC concerning programmes 35 and 41.

19. As the Council had decided to transmit to the General Assembly the report of CPC and ACC on the work of their joint meetings, the President of the Assembly would transmit that report to the Fifth Committee, which could consider it under the agenda item currently under consideration.

20. Mr. DUHALT (Mexico) said that the concept of peace-making was not very clear to his delegation, which did not quite understand what the mandate for peace-making was and what implications the activities referred to would have. It was not merely a question of terminology. It was therefore necessary to act with caution and to refrain from re-interpreting the Charter of the United Nations. He wished to know how the Chairman planned to proceed in order to resolve the issue.

21. The CHAIRMAN suggested that the representative of Cameroon, Mr. Tommo Monthe, should be invited to co-ordinate the consultations on the question with a view to arriving at a clear definition of the concept of peace-making. He hoped that all delegations would be willing to co-operate with Mr. Tommo Monthe.

22. Ms. GOICOCHEA (Cuba) said that as the importance of the question made it impossible to take hasty decisions, the proposed medium-term plan should be considered programme by programme. While some programmes did not raise any problems, others deserved thorough consideration. She supported the choice of Mr. Tommo Monthe to co-ordinate the informal consultations and requested the Chairman to advise the Committee as to how it should proceed in the immediate future.

23. The CHAIRMAN said that he had no doubt that the representative of Cameroon would be able to bring the consultations to a successful conclusion, and that he was prepared to authorize him to devote several meetings to those consultations. He invited delegations to state their views on all the questions related to the proposed medium-term plan.

24. Mr. DINU (Romania) said that he was somewhat puzzled to see that, even though delegations were aware of the existing problems - the Committee for Programme and Co-ordination having already had lengthy discussions about them, particularly during the spring of 1990 - the other Main Committees of the General Assembly had not forwarded comments on the subject to the Fifth Committee. As he did not wish to re-open in the Fifth Committee a debate which had uncertain prospects of success, his delegation supported the proposal that Mr. Tommo Monthe should conduct informal consultations which he hoped would benefit from the views of the relevant Committees.

25. Mr. HAAS (Germany) said that his delegation was also among the "puzzled delegations" which were surprised that the Special Political Committee had not had any comments to make on such a basic issue. He asked whether the Chairman could write to the Chairman of the Special Political Committee, explaining to him the dilemma with which the Fifth Committee was faced and requesting his Committee's views.

26. The CHAIRMAN said that while such an approach was possible, he doubted that it would be useful.

27. Mr. ETUKET (Uganda), recalling that at the beginning of the consideration of agenda item 119, his delegation had emphasized the value to the Fifth Committee of the comments of the other Main Committees on the proposed medium-term plan, said

(Mr. Etuket, Uganda)

that the Special Political Committee could at least make an effort to examine in further detail and clarify the concept of peace-making.

28. The CHAIRMAN said he was convinced that through effort and good will the Fifth Committee would arrive at a solution.

29. Ms. BERENGUER (Brazil) said that she supported the proposal made by Germany and would appreciate it if the Chairman could give a more specific answer on the subject. She also repeated the request which she had made to the Director of the Programme Planning and Budget Division concerning programme 36.

30. The CHAIRMAN said that he would contact the Chairman of the Special Political Committee to try to convince him to give further thought to the question of the concept of peace-making.

31. Ms. BERENGUER (Brazil) thanked the Chairman and said that that was the best course of action.

32. Mr. MORDACQ (France) said that he also associated himself with the puzzled delegations which were surprised that the Main Committees which had been consulted had not made comments on the question in dispute. His delegation was not in favour of a detailed consideration of all the subprogrammes in the proposed medium-term plan. It believed that the Fifth Committee could not be competent in all technical fields and therefore supported the German proposal. Nevertheless, he considered designation of Mr. Tommo Monthe to conduct informal consultations to be a positive step.

33. Mr. ETUKET (Uganda) said that his delegation was ready to assume the different roles assigned to it within the Special Political Committee and the Fifth Committee. When his delegation had requested that the views of the various Main Committees should be sought with regard to the medium-term plan, including the question of peace-making, its intention had been to facilitate the work of the Fifth Committee. Resorting to the good offices of the Chairman of the Fifth Committee and the Chairman of the Special Political Committee would also facilitate the Committee's work, and his delegation considered the German proposal to be worthwhile.

34. The CHAIRMAN said that his initial reaction to the German proposal had been dictated by prior experience. The Chairman of the Fifth Committee had often sent letters to the chairmen of the other Main Committees and their replies had been fairly similar to that of the Special Political Committee. Nevertheless, if the Committee so wished, he would contact the Chairman of that Committee and attempt to work out an arrangement.

35. Mr. KINCHEN (United Kingdom) said that, in order to be really useful, the comments submitted by the other Committees must reflect a consensus. While the Sixth Committee had expressed a common position, the Third Committee had confined itself to drawing attention to divergent views. Questions related to peace-keeping

(Mr. Kinchen, United Kingdom)

transcended Committee boundaries, and bodies other than the Special Political Committee, for example the Sixth Committee, might have an opinion to express. Accordingly, it might be a good idea to broaden the consultations.

AGENDA ITEM 123: JOINT INSPECTION UNIT (continued) (A/C.5/45/L.4/Rev.1)

36. Mr. KOULYK (Ukrainian Soviet Socialist Republic), Vice-Chairman, introducing the revised text of the draft resolution on the Joint Inspection Unit (A/C.5/45/L.4/Rev.1), presented the amendments which had been made to the initial draft (A/C.5/45/L.4) on the basis of informal consultations. First, it had been decided to move paragraph 2, making it the third preambular paragraph of the new draft. Secondly, a typographical error had crept into the English version, where the verb "to make" should be replaced by "to take" in paragraph 2 (a). Lastly, former paragraph 4 of draft resolution A/C.5/45/L.4 had been replaced by a text which had been adopted by consensus and renumbered paragraph 3 in the revised version.

37. Draft resolution A/C.5/45/L.4/Rev.1, as orally amended by the Vice-Chairman, was adopted without a vote.

38. Mr. KINCHEN (United Kingdom) said that the final draft resolution did not entirely reflect the balance which his delegation thought had been achieved; however, it deemed the text to be acceptable. He recalled that productivity was an important consideration in the performance of any of the administrative units of the Secretariat. His delegation expected the Secretary-General to give due weight to that fact in conducting the review mentioned in paragraph 3 of the draft resolution.

The meeting rose at 12.10 p.m.